

CHAPTER 4. FOREIGN AIR CARRIERS AND FOREIGN OPERATORS OF U.S.-REGISTERED AIRCRAFT ENGAGED IN COMMON CARRIAGE

SECTION 5. MAINTENANCE AND MINIMUM EQUIPMENT LISTS FOR U.S.-REGISTERED AIRCRAFT

319. GENERAL.

A. Federal Aviation Regulations (FAR) § 129.14. This regulation provides the maintenance and minimum equipment requirements for United States (U.S.)-registered aircraft operated by a foreign air carrier or any foreign person engaged in common carriage solely outside the U.S. Each foreign operator of a U.S.-registered aircraft must ensure that the aircraft is maintained in accordance with a program acceptable to the Administrator which is consistent with the aircraft maintenance program requirements of FAR Part 121 or 135, as applicable. See FAR § 129.14(a) and (b).

B. International Civil Aviation Organization (ICAO) Annex 8, Paragraph 4. "Continuing Airworthiness of Aircraft," states that the continuing airworthiness of an aircraft shall be determined by the state of registry in relation to the appropriate airworthiness requirements in force for that aircraft at the time of inspection. This applies to both normal inspections and to inspections after the aircraft has been damaged.

321. APPROVAL. FAR § 129.14(c) provides for the approval and use of a minimum equipment list (MEL) by a foreign operator. Each foreign operator may develop its own MEL based on the master minimum equipment list (MMEL) approved by the Federal Aviation Administration (FAA) for the specific aircraft type. In seeking approval of its MEL, the foreign operator must show that the maintenance procedures in its maintenance program are adequate to support the use of its MEL. Alternatively, if the foreign operator has leased a U.S.-registered aircraft from a U.S. air carrier, the foreign operator may decide to maintain and operate the aircraft in accordance with the U.S. air carrier's continuous airworthiness maintenance program and the U.S. air carrier's FAA-approved MEL. In either case, the foreign operator must submit for processing and approval both the MEL and the maintenance program to the Flight Standards District Office (FSPO) having responsibility for the foreign operator. See volume 4, chapter 4, for the MEL approval process.

322.-326. RESERVED.

[PAGES 2-204 THROUGH 2-208 RESERVED]

